

RECEIVED & TENDERED
CASHIER 2102 MAY 10 AM 10:12 IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICOIN RE: COURT
FOR THE DISTRICT OF
PUERTO RICO
NOE SANCHEZ VELEZ

CASE NO. 98-05663 ESL

DEBTOR

Chapter 13

RECEIVED & TENDERED
U.S. Bankruptcy Court

MAY 10 2002

Let's handle @
MOTION TO REOPEN CASE AND CONVERT TO CHAPTER 7

TO THE HONORABLE COURT:

COMES NOW, debtor NOE SANCHEZ VELEZ, through the undersigned attorney and respectfully avers and prays:

1. The debtor's case was dismissed by this Honorable Court on April 11, 2002, because he failed to make payments to the trustee in the amount of \$ 440.00.
2. The debtor filed the case on April 29, 1998, and made payments of \$ 4,290.00 for the plan.
3. The debtor was a security guard with Island Security which laid him off in September 2001. As of this date he has not been able to obtain a new job.

The debtor's wife past away this past year due to an accident she suffered in the bathroom of the house. Ever since her death he has become very depress and forgetful.

5. The debtor has finally realized that his bankruptcy had been dismissed and visited the attorney today with one payment for the trustee. His only income comes from food stamp check of \$ 96.00 to which he is entitled to twenty five (25%) percent in cash and posses no assets, (has no car or house). He lives in a wood and zinc house that is on a municipal lot that belongs to his elderly sick mother who lives with him in Guanica, P.R.
6. The debtor did not purposely fail to respond to the motion he is confronting very difficult times in his poverty stricken life.
7. The debtor request that the Honorable Court grant him the opportunity to reopen the case and convert to a chapter 7, since his financial situation does not permit him to re file a new case under chapter 7 because he cannot afford to pay a filling fee of \$ 200.00.

MAY 22 2002

Order 5.21.02
Denial as late. The case
was dismissed on 2.18.02 and not
on 4.11.02. However, the dismissal
is without prejudice.

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8. The Honorable Court has the authority to reopen the case pursuant to § 350 (11 U.S.C. § 350) (b) *A case may be reopened in the court in which such case was closed to administer assets, to accord relief to the debtor, or for other cause.* Also pursuant to the Rules of Federal Civil Procedure, Rule 60 (b) (6).
9. The attorney will not charge any money to represent the debtor in the chapter 7 case if the Honorable Court grants this motion.

WHEREFORE, the debtor request that the court grant this motion set aside the order dismissing the case and grant a conversion to chapter 7.

Certificate of Service: I hereby certify that a true and exact copy of the following motion has been sent to the trustee **Trustee Mr. Ramón Lopez**, P.O. Box 70370, San Juan, Puerto Rico, 00936 and all creditors and parties in interest as per master address list.

In Yauco, Puerto Rico this ^{10th} day of May 2002.

SANTIAGO & GONZALEZ

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Yauco, Puerto Rico 00698

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By:

Nidia González Ortiz
Nidia González Ortiz Esq.
USDC-PR 124006

*I hereby certify that I have amended
the title and date of this motion
and that I have sent the Trustee
and parties in interest on the 10th
of May 2002*

Nidia González Ortiz